

There is no guarantee, if you are an individual below the poverty line, disabled or under Medicare because of your age, that you will be protected. There is no guarantee to the individual, only some money to the States, to do the best job they can, and whatever they do will be acceptable.

Now, the Speaker did incorrectly state what was in his bill. I believe that he genuinely did not understand his legislation. When he reads it, when he finds out what they did in the Committee on Commerce, well, I would not want to be the chairman of that committee since the Speaker now has decisionmaking power over who is chairman of the committee or not.

But I suspect what he will do, which is the only honorable thing to do, is to support the Pallone amendment when it is offered to the legislation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

A BAD MEDICARE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 5 minutes.

Mr. DINGELL. Mr. Speaker, there are some facts that are very clear now. Let me go over the situation. Under current law, Medicaid beneficiaries are guaranteed coverage for premiums and co-pays and deductibles. The House Republican bill repeals that law.

The Democratic amendment in the House Committee on Commerce offered by my colleague, the gentleman from New Jersey [Mr. PALLONE], to restore this current guarantee was rejected by a vote of 24 to 18. Every member of the committee on the Republican side of the aisle voted against it.

Under the Republican block grant, Federal payments are cut by 20 percent over the next 7 years. No State is required to cover any elderly. There are no requirements to provide anything to the current Medicaid eligibles. Only 7 percent of State dollars have to be spent on low-income seniors.

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This is simply not enough, and there is no guarantee.

Now, the House has already found, regrettably, that no one here really understands the entirety of the bill. The Speaker in a rather powerful statement has been proven to be entirely in error. How many other Members who have talked about the wonders of this legislation we passed today or the legislation that we are going to pass to amend Medicaid are going to be wrong?

The process under which this was conducted was intolerable. The bill was put in the committee, hearings were requested, none were given. The matter was considered without any hearings

whatsoever, without testimony from any agency of the Federal Government, without hearing from any governor, from any citizen, or without hearing from any Federal agency as to how this would impact the people of the country.

There is no understanding of what is in the bill, including whether or not the fraud provisions are in fact adequate, which in fact, by the way, they are not.

The bill was passed out of committee without being read. On at least three separate occasions, different versions of the legislation were presented to the House or to the committee. Last night, the third or fourth version of the bill was presented to the House. It again was not read. The Committee on Rules had no opportunity really to understand what was presented to them.

Today, we saw a discussion of the legislation in which there appeared to be great confusion and in point of fact there was, because no Member had had opportunity to know or understand what is in this bill.

The process could have been abated by the ordinary way in which legislation is considered. Hearings could have been held. Proper markups could have been held. This matter was reported to the House by our committee with minimum consideration of the legislation, and similar activities took place in the Committee on Ways and Means.

My colleagues on the Republican side will tell us how hearings were held on Medicare. Hearings are routinely held on Medicare and on Medicaid hereabouts in this body, but it must be observed that not one hearing was held on this bill. The only hearing which was held on this subject in connection with this particular process was to hold a hearing in the Committee on Ways and Means on a press release, hardly a matter which merits congressional consideration.

The result is that the House has acted upon this legislation in great confusion. The Speaker has been led into the unfortunate position where I am sure unknowingly he misrepresented the facts as regards the content of the legislation on a point which is extremely important to the American people. That is, that 11 million widows will not have their Medicare payments paid on their behalf on Part B because of the way the law is going to work out when the consideration of this matter is at conclusion.

I say this is a sad and intolerable event. I say it is an event which has been created by a deliberate determination on the part of the Republican leadership of this body to present this matter to the House without giving adequate opportunity for this body to be properly informed through the orderly and regular process of this body which go back to the earliest days of the Republic. I think that this is a shameful way to proceed on legislation. It results in intolerable surprises to the Members of this body, results in

lack of proper information on how the legislation has been constructed or what will be its impact.

I think we need only to look forward now to see what fresh new surprises are going to plague this body, are going to plague the senior citizens, are going to plague the administrators on a State and Federal level and are going to plague the people who would be beneficiaries under Medicare who today would enjoy benefits which are going to be taken away from them tomorrow. I think that the surprises are going to be substantial.

It is regrettable that we have done this this way. It is to be hoped that we will at least learn from it, will not repeat this kind of abuse. But a greater hope is that we might take the time to scrutinize the evil that we have done today and set about trying to correct it.

The SPEAKER pro tempore (Mr. CHAMBLISS). Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

[Mr. HORN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

A DISASTROUS MEDICARE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, today in this House many of us opposed a very bad bill, the Medicare "reform" bill that cut Medicare \$270 billion to give tax breaks to the wealthiest Americans. It weakened fraud provisions in a series of back-room deals with the AMA and with other organizations to roll back a lot of fraud provisions that would have allowed us to more aggressively go after those people that cheat the system.

The Inspector General's office has said that 10 percent of Medicare expenditures go to fraud, waste and abuse. We need to aggressively go after that. Instead, this House today turned its back on that. So, at the same time as this House made Medicare cuts, it weakened fraud provisions. It gave \$245 billion in tax breaks to the wealthiest individuals in this country and the largest corporations in this country.

Perhaps equally disturbing as the bill itself, which I think is a disaster, was the process that led up to this vote today right up until we actually cast our votes.

Some weeks ago, the Speaker and the Republican leadership simply said there were going to be no hearings on this issue, no hearings in committee on Medicare, no hearings on this issue on Medicaid. We tried over and over asking for hearings, requesting of my committee chairman, the gentleman from Virginia [Mr. BLILEY], in the Committee on Commerce. The same went on in

the Committee on Ways and Means. They simply turned a deaf ear not just to us, maybe we do not matter much, but turned a deaf ear to the American people, the people that wanted to come in and talk about what this Medicare bill was really about.

So while there were back-room deals, the American Medical Association and other groups got into the back room with the Republican leadership, the elderly were not even allowed in the hearing rooms to testify on this bill.

One lady in the Committee on Commerce a couple of weeks ago came in, tried to testify, was gavelled down. Eventually, within a few minutes, 15 elderly people, some in wheelchairs, some with canes, all of them I believe over 70 years old, were arrested and hustled out of the committee room, taken down into the basement. Several of them were handcuffed. All of them were taken to the police station in paddy wagons and fingerprinted and mug-shotted. It was a pretty amazing spectacle.

Then today, almost as disturbing, the Speaker of the House stood on this floor and said something, and I am sure he did not knowingly do this, but said something that clearly was not true about a provision in the bill that the gentleman from Massachusetts [Mr. MARKEY] had talked about, a provision in the bill that has been removed from the Medicaid bill that allowed elderly widows, some 11 million in this country that literally had their Medicare premiums paid for because they were so poor that they could not pay for them, and particularly when they go from \$46 to \$90 or \$100, whatever the Gingrich Medicare bill ends up raising them to, that money was taken away from them.

The Speaker may have been confused or it may have been bad staff work. It may have simply been all the late-night deals that were cut as the bill was changed as late as last night in the middle of the night, and he was simply confused.

I have only been here 3 years, but there is this new arrogance to this place that I have never seen and heard of before, but it is particularly disturbing when those kinds of things are said on the floor because of either confusion or bad staff work, but the process has been so closed that people have not had a chance to really learn about what is in this bill.

Mr. Speaker, I yield to my friend, the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. I appreciate the gentleman yielding.

Mr. Speaker, there was obviously confusion in the Speaker's mind, but there really should be no confusion about this issue. Because, as the gentleman knows, I offered this amendment in our Committee on Commerce to make sure that in Medicaid these qualified Medicare beneficiaries were going to have their part B premiums covered.

The gentleman from Illinois [Mr. RUSH] offered the same amendment on the Medicare bill in the Committee on Commerce, the bad bill that we considered today; and I went before the Committee on Rules yesterday and asked that the amendment be considered as part of the bill today, had a dialogue with the members of the Committee on Rules, including the gentleman from Georgia [Mr. LINDER] who was there, and explained that we wanted to make sure that there was a guarantee in the Medicare bill for these widows and these low-income senior citizens for which the Federal Government now pays their part B premium.

It is true, it may very well be that the Speaker misunderstood, but there is no excuse for it. Because in fact on three different occasions we have asked for this to be considered, on two occasions in this bill. The Committee on Rules denied the opportunity to have that amendment considered. The bill that we had today did not have the guarantee that those Part B premiums for those low-income seniors would be paid.

I think what the gentleman from Massachusetts [Mr. MARKEY] said is absolutely correct. We should go back to the Committee on Rules next week, ask that it be considered again in concert with the Medicaid bill. But I am really outraged over the fact that the suggestion was made today that somehow this guarantee was in the bill. It is not in the bill; it is not in the Medicaid bill; and we, all of us collectively, have tried very hard to make sure the guarantee was there and it is not there.

Mr. BROWN of Ohio. None of this would have happened, I think, if we had had hearings. There were dozens of hearings on Waco and Randy Weaver and Whitewater but no hearings on Medicare and Medicaid which affect everybody in this country.

I think the Speaker misspoke and was probably confused but sort of attacked our friend from Massachusetts by name. Surely if we had had hearings and not had these late-night deals and really, as a country, really discussed Medicare, Medicaid and what it means to senior citizens, you do not cut \$270 billion to give tax breaks to the rich.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 5 minutes.

[Mr. MCINNIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

[Ms. DELAURO addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

H.R. 2259

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. WATTS] is recognized for 5 minutes.

Mr. WATTS of Oklahoma. Mr. Speaker, as the son of a policeman and a fervent supporter of strong anticrime measures, I believe that we must attack the root problems that cause crime in America and that we must punish equal crimes with equal justice regardless of a person's color or economic class.

Last night we considered a well-intentioned bill, H.R. 2259, that sought to address one part of the Nation's crime problem, but unfortunately, it missed the mark by a mile and sent the wrong message to the Nation's drug traffickers and drug abusers.

The U.S. Sentencing Commission recently recommended that sentences for possessing and trafficking in crack cocaine should be the same as for possessing and trafficking in powder cocaine.

The Commission is right to seek to equalize punishment. It is essentially unjust to have one standard of justice for the type of cocaine that is abused in the expensive homes of our finest suburbs and a different standard of justice for the type of cocaine that is abused in the abandoned crack houses of our worst ghettos.

The Commission should have sought equalization by raising the sentences for powder cocaine. My view is that higher sentences, at equal levels, are needed in these cases.

Unfortunately, procedural rules did not allow that vote, so I voted to recommit H.R. 2259 with that goal in mind. When that failed, I had no choice but to vote against final passage.

We must punish the drug possessor, and work to rehabilitate him. But we must imprison the drug distributor and throw away the key. He haunts our Nation's schoolyards and makes his fortune off his poverty stricken and addicted buyer. He condemns his victims to a life of poverty and an early death. And his victims are disproportionately inner-city kids—young black Americans.

According to the Department of Health and Human Services [HHS], black Americans are being disproportionately affected by sentencing disparities. Only 4 percent of those sentenced for violating crack laws are white although 51 percent of crack users are white. In contrast, 88 percent of those sentenced for crack violations are black Americans, while only 38 percent of crack users are black, according to the HHS study.

I have said numerous times that this country's laws must deal with racial discrimination in as aggressive a manner as possible. I believe that implicit in that philosophy is a mandate to change any law that results in de facto racial discrimination.

As the father of young children, I am committed to passing the strongest